

STEAMER TABLE.	
From San Francisco—	
Alameda	Oct. 10
Nippon Maru	Oct. 14
For San Francisco—	
America Maru	Oct. 14
Alameda	Oct. 15
For Victoria—	
Mowera	Oct. 22
From Victoria—	
Moana	Oct. 25

Vol. XII. No. 2271.

HONOLULU, TERRITORY OF HAWAII, WEDNESDAY, OCTOBER 8, 1902

PRICE 5 CENTS.

## JUDGE WILCOX ON BARBER QUESTION

Holds In Police Court That Law Is Unconstitutional.

## BUNCH OF TONSORIAL ARTISTS DISMISSED

BROOKS GAINS HIS POINT AND ALL RAZOR AND SCISSOR WIELDERS ARE NOW HAPPY.

No more will the man who gets up after 9 o'clock on Sunday morning have to spend the Sabbath with the stubble on his chin or be forced to wield the razor with his own hand, for Judge Wilcox in the Police Court this morning held that section 317 of the Penal Laws, which prohibits barbers from playing their trade after 9 o'clock on Sunday, is unconstitutional, and Lai Shoon, Ah Hing, Kam Chee, Au Tong and Ah Kam, who appeared in court this morning, charged with violating the section mentioned, had their cases dismissed.

The section in question reads as follows: "All labor on Sunday is forbidden, excepting works of necessity or mercy, in which are included all labor that is needful for the good order, health, comfort or safety of the community, or for the protection of property from unforeseen disaster, or danger of destruction or injury, or which may be required for the prosecution of or attendance upon religious worship, or for the furnishing of opportunities of reading or study. Provided, however, that on Sunday until 9 o'clock in the morning, barber shops may be kept open and fresh meat and fresh fish may be sold and delivered; that until 9 o'clock in the morning and after 3 o'clock in the afternoon milk may be delivered and cattle, sheep and swine may be slaughtered; that during the fore day meals may be sold, to be eaten on the premises where sold or served elsewhere by caterers, drugs, medicines and surgical appliances may be sold, personal baggage may be conveyed to and from vessels leaving and arriving at port on that day; that the railroads may on Sunday carry passengers to connect with the steamers, and public carriages, horsecars and licensed shoreboats may convey passengers for hire, and that all labor which may be lawfully performed on Sunday shall be conducted, as far as possible, so as not to interfere with the right of the community and of each individual to quiet and repose."

Attorney F. M. Brooks, who appeared for the defendants, continued his defense of yesterday afternoon. He pointed out that while Sunday laws had been upheld in every State, such Sunday laws as discriminated against certain classes of business in favor of others, had invariably been held to be unconstitutional by the various Supreme Courts.

Judge Wilcox raised the point that instead of being a discrimination against the barbers, the law seemed to grant them a privilege by allowing them to pursue their business part of the day.

High Sheriff Brown, who conducted the case of the prosecution, stated that the statute in question was an old one and one upon which many decisions

## FIRE MANDAMUS CASE

MR. HATCH CONTENTS THE WRIT WAS PROPER

ATTORNEY GENERAL CLAIMS THE LAW INTENDED NO REVIEW WHATEVER OF FIRE CLAIM AWARDS.

The Supreme Court in the persons of its own members today heard the appeal of the Fire Claims Commission from the writ of mandamus granted by Circuit Judge Gear, directing it to amend its awards in two cases where they were subrogated to fire insurance companies after the payment of insurance had already been deducted from the ascertained amount of loss.

F. M. Hatch argued for the appellant. He contended that there was a clear denial of justice in the double deduction from the finding of loss, and that the writ of mandamus was the proper remedy under the circumstances. The fact that the statute denied an appeal from the awards of the Commission strengthened the right of recourse to the writ of mandamus. No power could take from the appellate court its function of doing justice. The Commission was an inferior tribunal and if appeals from it were forbidden the writ of mandamus was an appropriate procedure whereby to compel it to revise any act of injustice it might have committed.

In older times the errors of inferior courts were usually corrected by writs of mandamus, but the practice had grown of having judgments reviewed on appeal. When a statute like the one in question took away the right of appeal, it simply compelled recourse to other remedies for injustice. Among other authorities on this point was a North Carolina case, which held this doctrine about as stated by the speaker.

Attorney General Dole replied, stating at the outset of the statute creating

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# BULLETIN WANT ADS. CURE ALL WANT ILLS

# EVENING BULLETIN

IT IS THE CHEAPEST AND BEST ADVERTISING IN HONOLULU

BREVITY IS A VIRTUE when it escapes obscurity: but it is a fault when the sense is not plain. The best quality in advertising is clearness—that ONE WHO READS MAY UNDERSTAND.

# TO UPHOLD BOARD

The Chamber of Commerce met at the usual hour this morning in monthly session. Those present were: C. M. Cooke (vice-president, presiding), J. G. Spencer, secretary, J. B. Atherton, H. A. Isenberg, W. F. Allen, J. A. McCandless, W. M. Giffard, F. M. Swanzy, H. E. Walty, W. W. Harris and A. Gartenberg. A delay of about twenty minutes was occasioned by delay in the arrival of enough members to constitute a quorum.

Secretary Spencer reported for the committee on printing of by-laws to the effect that the work had not yet been completed.

**Book on Islands.**  
Mr. Spencer further reported for the committee appointed to confer with the Merchants' Association with reference to the book on the Islands which Secretary Cooper had arranged to have published. He stated that Mr. Cooper had given up the proposition of issuing the book on account of insufficient fund. Then too, Mr. Cooper was too busy at this time to undertake the work.

**Storage of Combustibles.**  
In reply to a question by Mr. Swanzy regarding the storage of gasoline, turpentine, etc., Mr. Spencer stated that the letter to the High Sheriff calling attention to the inadequacy of the law respecting this matter had been sent to Mr. Brown and that an answer had been returned. He thereupon read the communication from the High Sheriff as follows:

**High Sheriff's Answer.**  
I beg to acknowledge the receipt of your favor of the 12th. in re storage of

kerosene oil, gasoline and turpentine in places outside of the government warehouse in quantities exceeding the amount allowed by law.

In reply I beg to state that after the fire on August 23d in the Campbell block I detailed an officer to visit every establishment in Honolulu where I had reason to believe that oil, gasoline or turpentine was stored, with a view of ascertaining whether or not the law was being violated. Only one such case was found, that of a Chinaman, who had sixteen cases of kerosene oil in his store. He was prosecuted and convicted.

The Hawaiian Hardware Company, at the time of the fire had in their warehouse some forty-six cases of spirits of turpentine, and the manager, Mr. Fernandez, has since been prosecuted and convicted.

I propose in future to have an inspection made, at least once every two weeks, of all places where oil, gasoline and turpentine are stored, and see that the law is strictly enforced.

I believe that the law as it stands is sufficiently clear and explicit, and all that is needed is a strict enforcement of the same, which I assure you I intend to carry out.

Yours truly,  
A. M. BROWN,  
High Sheriff, Territory of Hawaii.

Chairman Cooke called attention to the fact that nothing was said in the communication about powder. This was also a dangerous substance.

**Weedon Wants Literature.**  
Mr. Weedon next read a letter from W. C. Weedon under date of September 26, sent on the eve of the departure of the lecturer from Oakland, Cal., to San Diego, and as already published in the Bulletin.

One point mentioned in Mr. Weedon's letter was taken up by the Chamber. This was with reference to the lack of literature about the Islands. The writer stated that he had a very inadequate supply on hand and that he could use some good matter to advantage. The success of California in the attraction of tourists to that State lay in its liberal and continuous advertisement. Hawaii would do well to follow in the footsteps of California.

**Book in Preparation.**  
Chairman Cooke said Daniel Logan was writing a book on the Islands which he believed it would be well to secure a supply of as soon as they were out and forward the same to Mr. Weedon. Mr. Spencer answered that the book would probably not be out for three months by which time Mr. Weedon's six months' limit will have expired.

Upon Mr. Spencer stating that he had heard the Merchants' Association had something in view, Mr. Harris, secretary of that organization, replied that it was the very book spoken of by Mr. Cooke that the Merchants' Association was considering. It was being gotten up by Chas. R. Frazier and Daniel Logan was doing the writing. The Merchants' Association, before endorsing it, wished to go over all the printed matter.

**Cooper Abandons Project.**  
Mr. Spencer stated that he had had a talk with Secretary Cooper and that

he had agreed to turn over to Mr. Logan all that material which he was privileged to dispose of. There was a great mass of matter and before some of the matter was turned over it would be necessary to secure the permission of the people who had written the articles.

**Pratt to Washington.**  
Mr. Spencer, answering a reference to the fire claims, stated that J. P. Cooke was very anxious to have J. G. Pratt make another trip to Washington at the opening of the next session of Congress. There was \$1000 in available funds on hand. It would be necessary to secure \$1500 more.

It was agreed to allow the fire claims matter to go over to another meeting. J. P. Cooke himself was not present.

**Confidence in Board.**  
At this point, H. A. Isenberg arose and stated that misstatements regarding the Board of Health had been made before the Senatorial Commission by certain irresponsible and unscrupulous persons that he considered of sufficient importance for the Chamber of Commerce to take up. Perhaps a vote of confidence in the president of the Board of Health—Dr. Sloggett—might be the proper form. At all events he would like to see the Chamber take some action.

Chairman Cooke stated that Dr. Sloggett was an official serving without pay and it was due him that some action be taken. A letter refuting the charges made had been prepared for presentation to the Senatorial Commission. This letter referred to the tenders for settlement supplies and the in-

spection by the government of such supplies before sending the same to Mo'lo'lo. This was done on the day of the closing of the sessions of the Commission and as there was insufficient time for the presentation of the matter, it was left over.

**Letter by Lowrey.**  
Mr. Harris stated that the letter had been prepared by F. J. Lowrey. It was taken to W. G. Irwin, president of the Chamber of Commerce, but he refused to sign it on the ground that he believed it should first be acted on by the Chamber. F. W. Macfarlane, president of the Merchants' Association, had refused to sign for like reasons. As there was no time for the calling of any meetings, the matter was dropped and the letter destroyed.

**Isenberg's Motion.**  
Mr. Isenberg moved "That it is the sense of the Chamber of Commerce that the Board of Health deserves the thanks and confidence of the community and that it is to be hoped that the present president will continue long in office."

Mr. Cooke asked if it was the intention of Dr. Sloggett to resign and Mr. Isenberg answered that he would resign at once if he did not consider it his duty to remain in office.

**Motion Not Strong Enough.**  
J. A. McCandless said that in view of the insinuations made against the merchants of the city, he did not consider the motion of Mr. Isenberg strong enough. In his opinion, a committee should be appointed to make refuta-

(Continued on Page 8.)

## WAS IT WRIGHT?

Is William H. Wright, late Treasurer of the Territory, in Honolulu?  
He is so, according to the testimony of an intelligent girl of eighteen years, who knows the man well by sight.  
This witness informed her guardian, whom she met in town about two o'clock, that she had seen William H. Wright driving out King street toward Little Britain, the home of relatives, a few minutes previously.

When this information was imparted to a Bulletin reporter, he induced his informant to go home and examine the girl strictly as to her identification of Wright.

The girl persisted in declaring that it was William H. Wright and none other. When she saw him he was driving on King street in the vicinity of Piliok street. He was dressed in a blue suit with a Panama hat, and carried an umbrella.

When the girl looked steadfastly in his face, the man suddenly interposed the umbrella between her eyes and his countenance. At the same time he spoke to the hackman, who at once whipped up his horse. Wright looked very pale.

## ALIENS FLOCK UNDER THE FLAG

A word of warning to involuntary bankrupts was uttered by Judge Estee this morning. W. T. Rawlins, referee, in a written paper stated that the appraised value of property of the Star Soda Water Works was \$4,741 and the liabilities of the concern \$8,573.73, also that the bankrupt had filed no schedules and these the referee had prepared as well as the petition. While granting the referee a fee of \$45, the court said it would hereafter punish an involuntary bankrupt who did not file schedules. The law prescribed this requirement of bankrupts.

Following is the list of aliens naturalized by Judge Estee at the morning session:

George Watt, William Barclay, Jas. M. Ogilvy, Scotland.  
Charles Girdler, G. McNicoll, John T. Wright, Samuel E. Pierce, England.  
O. Lundlof, A. Winterstein, H. Starkoff, Richard Ludloff, Germany.  
Jos. Medeiros, V. O. Texeira, Manuel Duarte, John A. Nunes, Thomas Carvalho, Antonio de Castro, F. C. Silva, F. Fernandez Jr., Portugal.  
F. Hansen, Denmark.

Applications continued until 2 p. m. on account of absence of applicant or witnesses, were those of Victor Carlsson, Finland; Edmund Norrie, Denmark; John Medeiros, Portugal.

"Of course you can speak, read and write English if you were born in Scotland," was a remark of the court when sons of Caledonia were up. "All Scotchmen can talk English, some a little better than others."

Applicants of different nationalities were reminded as they came forward that the Constitution of the United States was a guarantee of life, liberty and the pursuit of happiness to them and, besides reverting it themselves, they should teach their children to revere it. Very few countries admitted aliens to citizenship and the United States Government did not ask anybody to become a citizen though glad to welcome all worthy men.

The steamer Lehua arrived from Mo'lo'lo last night at 10 o'clock.

## HOTEL CURIO STORE

Frank Ferreira, who for many years was connected with the police force, has opened a branch store for the sale of curios at the Hawaiian Hotel in connection with the main store on Alakea street near Beretania. The Hotel store will have a fine selection of articles of interest from all over the Hawaiian and South Sea Islands. At the Hotel store the daily and Coast papers and magazines will be sold.

Mr. Ferreira invites the public and his friends to an inspection of the stores and especially the display made at the Hotel store, which will open tomorrow.

Mr. Dole answered he did not know, but if so the Government would not be bound.

Deputy Attorney General Cathcart assisted his chief, as Mr. Milverton did counsel for the appellant.

Get your horse clipped by Chas. Dickerson, corner Bethel and Hotel.

## TODAY'S REGISTRATION

At 1 o'clock today the registration had reached 5121, the number for the two sessions being 36. Of this number, 48 were foreigners and most of those who registered, are residents of the Fourth, showing that the untiring work which the Republican committee of that district has been doing for ten days or more past, is beginning to show in great shape. The Bulletin stated yesterday that the total registration would probably be about 6250 and this figure will undoubtedly be reached when the sessions of the Board of Registration close at 8 o'clock tomorrow night. The total is now 521 ahead of what it was at the end two years ago.

If we could read the secret history of our enemies, we should find in each man's life sorrow and suffering enough to disarm all hostility.—Longfellow.

The body of the son of Mr. and Mrs. Charles Lucas has not yet been found.

## BEER OVER FENCE

**HOW KAKAAKO NATIVE DID HIS BUSINESS**

**HAD FEDERAL LICENSE FOR "THE KAKAAKO SOCIAL CLUB"**

**FINED \$200 AND COSTS TODAY.**

Joe Kamai was fined \$200 and costs in the Police Court this morning for selling beer without a license. Kamai has a nice little place in Kakaako right back of the Honolulu Iron Works, and there he catered to the thirst of the neighborhood. A ladder, which led over the fence of the Iron Works furnished a convenient means for the employees of that establishment to sneak over and have a drink. Kamai had a Federal license for "The Kakaako Social Club," with which high-sounding name his place was honored.

The prosecution put on two witnesses. Nebo, a Japanese, testified that last Monday afternoon he had purchased a bottle of beer from the defendant, paying 25 cents for it. He

# LIVELY NEWSBOYS WILL FEAST ON THANKSGIVING DAY

The annual Thanksgiving feast of the Bulletin newsboys will be accompanied by a pleasant departure following the lines of the Bulletin's prize bicycle contest, which attracted widespread interest. The victors in that contest, Ah Far and the Lubeck boys, have graduated from the ranks of newsboys and are now engaged in other business pursuits, in which they are proved to be capable hustlers. Their places have been taken by energetic youngsters, not a whit less interested in their work, who in many instances turn in their earnings to help out the finances of the home.

The popularity of the Bulletin as the always newsy, always reliable news medium of Honolulu, has added to the ranks of the sellers, till the Bulletin has the largest staff of newsboys of any paper in the city. The Bulletin now has over fifty boys who regularly purchase papers and every day sell all the way from 70 to 5 papers each. The big news merchants of the staff today were the little fellows of a year or two ago, and the smaller news vendors are steadily working their way up in the lists.

With a view to giving the news merchants special reward for their pleasant work, the Bulletin has planned to give ten prizes to the boys selling the largest number of papers previous to the annual Thanksgiving Day luau. The contest beginning Oct. 7 will close at 6 o'clock Wednesday evening, November 26th. The prizes will be awarded in the early morning of Thanksgiving Day when the boys start out for their feast. The list of prizes follows:

First Prize,	Order on Whitman & Co. for Argonaut Bicycle
Second Prize,	Order on Hub Clothing Store for Suit of Clothes
Third Prize,	Order on H. W. Foster for Waltham Watch
Fourth Prize,	\$10.00 Cash
Fifth Prize,	\$7.50 Cash
Sixth Prize,	Thanksgiving Pig
Seventh Prize,	Thanksgiving Turkey
Eighth Prize,	Thanksgiving Turkey
Ninth Prize,	Thanksgiving Chicken
Tenth Prize,	Thanksgiving Chicken



Ladies' Velours Calf....

Here's a popular priced shoe for women. The makers of this shoe have succeeded in combining all the qualities of a good shoe without making it too high priced.

It is made with Cuban heel, extension welt sole and of the best velours calf. An ideal and strongly built walking shoe.

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